

Docket No. 2024728-7014812001  
(02-234)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Robert Garabedian, et al

Serial No.: 10/606,250

Filed: June 24, 2003

For: COMPOUND LESION ALIGNMENT  
DEVICE

Group Art Unit: 3739

Confirmation No.: 4498

Examiner: Peffley, Michael

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## TRANSMITTAL


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

Transmitted herewith for the above-identified application are the following:

- ☒ Notice of Appeal with authorization to charge fees (3 pages); and
- ☒ Transmittal with certificate of facsimile transmission (1 page)

Respectfully submitted,  
BINGHAM McCUTCHEN LLP

Dated: 1/30/06

By:   
David T. Burse  
Reg. No. 37,104Customer Number  
23639  
PATENT TRADEMARK OFFICEBINGHAM McCUTCHEN LLP  
Three Embarcadero, Suite 1800  
San Francisco, CA 94111-4067  
(650) 849-4400CERTIFICATE OF FACSIMILE TRANSMISSION  
(37 C.F.R. §1.6 (d))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via fax on the date shown below to U.S. Patent and Trademark's fax number at: (571) 273-8300 addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

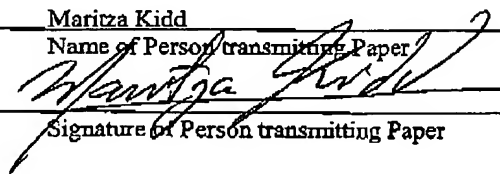
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Maritza Kidd

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Bingham McCutchen LLP  
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East Palo Alto, CA  
94303-2223

NAME	FAX	PHONE
TO: Commissioner for Patents	571-273-8300	

FROM: Maritza D. Kidd maritza.kidd@bingham.com	(650) 849-4800	(650) 849-4481
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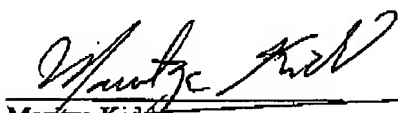
PAGES: (INCLUDING THIS COVER PAGE): 5

RE: Notice of Appeal Appl S/N: 10/606,250

## MESSAGE:

Boston  
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I hereby certify that Notice of Appeal with authorization to charge fees (3 pages), and transmittal (1 page) are being submitted to the United States Patent and Trademark Office on the date above. Please confirm receipt via facsimile. Thank you.

  
 Maritza Kidd

01/31/2006 CNGUYEN 00000052 502518 10606250

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PA/52177231.1

Docket No. 2024728-7014812001  
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**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Sir:

Applicant hereby **appeals** to the Board of Patents Appeals and Interferences from the decision dated November 3, 2005.

The items checked below are appropriate.

**1. Request and Petition for EXTENSION OF TIME:**

- ☐ The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

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- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$60.00	\$120.00
<input type="checkbox"/> two months	\$225.00	\$450.00
<input type="checkbox"/> three months	\$510.00	\$1,020.00
<input type="checkbox"/> four months	\$795.00	\$1,590.00
<input type="checkbox"/> five months	\$1,080.00	\$2,160.00
Fee		\$0.00

- ☐ If any extension fee is required, please consider this a petition therefore.

## 2. Appeal FEES

- ☐ Applicant claims small entity status pursuant to 37 CFR § 1.27.

<input checked="" type="checkbox"/> <b>APPEAL FEE: 37 CFR §1.17 (b) - 41.20(b)(1)</b>	\$500.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR § 1.9, 1.27, 1.28.	<input type="checkbox"/> \$0.00
Extension of Time (from above)	\$0.00
<b>TOTAL FEES SUBMITTED HEREWITH</b>	<b>\$500.00</b>

## 3. Method of Payment of fees:

- ☐ Attached is a check in the amount of \_\_\_\_\_.
- ☒ Please charge Bingham McCutchen's Deposit Account No. **50-2518** in the amount of **\$500.00**.
- ☒ The Commissioner is authorized to charge Bingham McCutchen's Deposit Account No. **50-2518** for any fees required that are not covered, in whole or in part, and to credit any overpayments to said Deposit Account No. **50-2518**

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(02-234)

Respectfully submitted,  
BINGHAM McCUTCHEN LLP

Dated: \_\_\_\_\_

1/30/06

By: \_\_\_\_\_



David T. Burse  
Reg. No. 37,104

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